

CHAPTER 1184

APPROPRIATIONS — ADMINISTRATION AND REGULATION

S.F. 2400

AN ACT relating to and making appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters and providing an effective and retroactive applicability date.

Be It Enacted by the General Assembly of the State of Iowa:

DIVISION I

ADMINISTRATION AND REGULATION APPROPRIATIONS

Section 1. DEPARTMENT OF ADMINISTRATIVE SERVICES.

1. There is appropriated from the general fund of the state to the department of administrative services for the fiscal year beginning July 1, 2008, and ending June 30, 2009, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

a. For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	6,389,186
.....	FTEs	457.33

b. For the payment of utility costs:

.....	\$	3,704,800
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Notwithstanding section 8.33, any excess funds appropriated for utility costs in this lettered paragraph shall not revert to the general fund of the state at the end of the fiscal year but shall remain available for expenditure for the purposes of this lettered paragraph during the succeeding fiscal year.

It is the intent of the general assembly that the department shall reduce utility costs through energy conservation practices. The goal of the general assembly is to reduce energy use by 10 percent to save money, conserve energy resources, and reduce pollution.

2. Members of the general assembly serving as members of the deferred compensation advisory board shall be entitled to receive per diem and necessary travel and actual expenses pursuant to section 2.10, subsection 5, while carrying out their official duties as members of the board.

3. Any funds and premiums collected by the department for workers' compensation shall be segregated into a separate workers' compensation fund in the state treasury to be used for payment of state employees' workers' compensation claims and administrative costs. Notwithstanding section 8.33, unencumbered or unobligated moneys remaining in this workers' compensation fund at the end of the fiscal year shall not revert but shall be available for expenditure for purposes of the fund for subsequent fiscal years.

Sec. 2. REVOLVING FUNDS. There is appropriated to the department of administrative services for the fiscal year beginning July 1, 2008, and ending June 30, 2009, from the revolving funds designated in chapter 8A and from internal service funds created by the department such amounts as the department deems necessary for the operation of the department consistent with the requirements of chapter 8A.

Sec. 3. FUNDING FOR IOWACCESS.

1. Notwithstanding section 321A.3, subsection 1, for the fiscal year beginning July 1, 2008, and ending June 30, 2009, the first \$1,000,000 collected and transferred by the department of transportation to the treasurer of state with respect to the fees for transactions involving the furnishing of a certified abstract of a vehicle operating record under section 321A.3, subsection 1, shall be transferred to the IowaAccess revolving fund established by section 8A.224 and administered by the department of administrative services for the purposes of developing, im-

plementing, maintaining, and expanding electronic access to government records as provided by law.

2. All fees collected with respect to transactions involving IowaAccess shall be deposited in the IowaAccess revolving fund and shall be used only for the support of IowaAccess projects.

Sec. 4. STATE EMPLOYEE HEALTH INSURANCE ADMINISTRATION CHARGE. For the fiscal year beginning July 1, 2008, and ending June 30, 2009, the monthly per contract administrative charge which may be assessed by the department of administrative services shall be \$2 per contract on all health insurance plans administered by the department.

Sec. 5. AUDITOR OF STATE. There is appropriated from the general fund of the state to the office of the auditor of state for the fiscal year beginning July 1, 2008, and ending June 30, 2009, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	1,249,178
.....	FTEs	103.00

The auditor of state may retain additional full-time equivalent positions as is reasonable and necessary to perform governmental subdivision audits which are reimbursable pursuant to section 11.20 or 11.21, to perform audits which are requested by and reimbursable from the federal government, and to perform work requested by and reimbursable from departments or agencies pursuant to section 11.5A or 11.5B. The auditor of state shall notify the department of management, the legislative fiscal committee, and the legislative services agency of the additional full-time equivalent positions retained.

Sec. 6. IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD. There is appropriated from the general fund of the state to the Iowa ethics and campaign disclosure board for the fiscal year beginning July 1, 2008, and ending June 30, 2009, the following amount, or so much thereof as is necessary, for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	527,122
.....	FTEs	6.00

Sec. 7. DEPARTMENT OF COMMERCE. There is appropriated from the general fund of the state to the department of commerce for the fiscal year beginning July 1, 2008, and ending June 30, 2009, the following amounts, or so much thereof as is necessary, for the purposes designated:

1. ALCOHOLIC BEVERAGES DIVISION

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	2,079,509
.....	FTEs	37.00

2. BANKING DIVISION

a. Banking. For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	8,200,316
.....	FTEs	73.00

b. Professional licensing and regulation. For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	945,982
.....	FTEs	16.00

3. CREDIT UNION DIVISION

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	1,631,740
.....	FTEs	19.00

4. INSURANCE DIVISION

a. For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	4,857,123
.....	FTEs	101.00

b. The insurance division may reallocate authorized full-time equivalent positions as necessary to respond to accreditation recommendations or requirements. The insurance division expenditures for examination purposes may exceed the projected receipts, refunds, and reimbursements, estimated pursuant to section 505.7, subsection 7, including the expenditures for retention of additional personnel, if the expenditures are fully reimbursable and the division first does both of the following:

(1) Notifies the department of management, the legislative services agency, and the legislative fiscal committee of the need for the expenditures.

(2) Files with each of the entities named in subparagraph (1) the legislative and regulatory justification for the expenditures, along with an estimate of the expenditures.

c. The insurance division shall allocate \$10,000 from the examination receipts for the payment of its fees to the national conference of insurance legislators.

5. UTILITIES DIVISION

a. For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	7,573,402
.....	FTEs	79.00

b. The utilities division may expend additional funds, including funds for additional personnel, if those additional expenditures are actual expenses which exceed the funds budgeted for utility regulation and the expenditures are fully reimbursable. Before the division expends or encumbers an amount in excess of the funds budgeted for regulation, the division shall first do both of the following:

(1) Notify the department of management, the legislative services agency, and the legislative fiscal committee of the need for the expenditures.

(2) File with each of the entities named in subparagraph (1) the legislative and regulatory justification for the expenditures, along with an estimate of the expenditures.

c. Notwithstanding sections 8.33 and 476.10 or any other provision to the contrary, any balance of the appropriation made in this subsection for the utilities division or any other operational appropriation made for the fiscal year beginning July 1, 2008, and ending June 30, 2009, that remains unused, unencumbered, or unobligated at the close of the fiscal year shall not revert but shall remain available to be used for purposes of the energy-efficient building project authorized under section 476.10B, or for relocation costs in succeeding fiscal years.

6. CHARGES — TRAVEL

Each division and the office of consumer advocate shall include in its charges assessed or revenues generated an amount sufficient to cover the amount stated in its appropriation and any state-assessed indirect costs determined by the department of administrative services. The director of the department of commerce shall review on a quarterly basis all out-of-state travel for the previous quarter for officers and employees of each division of the department if the travel is not already authorized by the executive council.

Sec. 8. DEPARTMENT OF COMMERCE — PROFESSIONAL LICENSING AND REGULATION BUREAU. There is appropriated from the housing improvement fund of the department of economic development, or, if 2008 Iowa Acts, Senate File 2136,¹ is enacted, from the housing trust fund of the Iowa finance authority, to the bureau of professional licensing and regulation

¹ Chapter 1097 herein

of the banking division of the department of commerce for the fiscal year beginning July 1, 2008, and ending June 30, 2009, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes:
 \$ 62,317

Sec. 9. GOVERNOR AND LIEUTENANT GOVERNOR. There is appropriated from the general fund of the state to the offices of the governor and the lieutenant governor for the fiscal year beginning July 1, 2008, and ending June 30, 2009, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. GENERAL OFFICE

For salaries, support, maintenance, and miscellaneous purposes for the general office of the governor and the general office of the lieutenant governor, and for not more than the following full-time equivalent positions:

..... \$ 2,524,462
 FTEs 26.25

2. TERRACE HILL QUARTERS

For salaries, support, maintenance, and miscellaneous purposes for the governor's quarters at Terrace Hill, and for not more than the following full-time equivalent positions:

..... \$ 492,593
 FTEs 10.00

3. ADMINISTRATIVE RULES COORDINATOR

For salaries, support, maintenance, and miscellaneous purposes for the office of administrative rules coordinator, and for not more than the following full-time equivalent positions:

..... \$ 158,873
 FTEs 3.00

4. NATIONAL GOVERNORS ASSOCIATION

For payment of Iowa's membership in the national governors association:
 \$ 80,600

5. STATE-FEDERAL RELATIONS

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 131,222
 FTEs 2.00

Sec. 10. GOVERNOR'S OFFICE OF DRUG CONTROL POLICY.

1. There is appropriated from the general fund of the state to the governor's office of drug control policy for the fiscal year beginning July 1, 2008, and ending June 30, 2009, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

a. For salaries, support, maintenance, and miscellaneous purposes, including statewide coordination of the drug abuse resistance education (D.A.R.E.) programs or similar programs, and for not more than the following full-time equivalent positions:

..... \$ 346,731
 FTEs 8.00

b. For support of multijurisdictional drug enforcement programs:

..... \$ 1,760,000

It is the intent of the general assembly that the governor's office of drug control policy maximize efforts with federal agencies concerning drug enforcement programs to avoid duplication of services.

If federal funding in excess of \$880,209 is received for multijurisdictional drug enforcement programs during the fiscal year beginning July 1, 2008, and ending June 30, 2009, of the moneys appropriated in this lettered paragraph, an amount equal to the federal funding received in excess of \$880,209 shall revert to the general fund of the state at the end of the fiscal year. The programs shall provide for at least a 25 percent local match.

2. The governor's office of drug control policy, in consultation with the department of public

health, and after discussion and collaboration with all interested agencies, shall coordinate substance abuse treatment and prevention efforts in order to avoid duplication of services.

Sec. 11. DEPARTMENT OF HUMAN RIGHTS. There is appropriated from the general fund of the state to the department of human rights for the fiscal year beginning July 1, 2008, and ending June 30, 2009, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. CENTRAL ADMINISTRATION DIVISION

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	356,535
.....	FTEs	7.00

2. DEAF SERVICES DIVISION

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	421,700
.....	FTEs	6.00

3. STATUS OF IOWANS OF ASIAN AND PACIFIC ISLANDER HERITAGE DIVISION

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	153,093
.....	FTEs	1.00

4. PERSONS WITH DISABILITIES DIVISION

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	217,221
.....	FTEs	3.20

5. LATINO AFFAIRS DIVISION

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	207,035
.....	FTEs	3.00

6. STATUS OF WOMEN DIVISION

For salaries, support, maintenance, and miscellaneous purposes, including the Iowans in transition program and the domestic violence and sexual assault-related grants, and for not more than the following full-time equivalent positions:

.....	\$	367,203
.....	FTEs	3.00

7. STATUS OF AFRICAN-AMERICANS DIVISION

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	187,066
.....	FTEs	2.00

7A. NATIVE AMERICAN AFFAIRS DIVISION

For travel reimbursement for members of the commission on Native American affairs:

.....	\$	6,000
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7B. DEVELOPMENT ASSESSMENT AND RESOLUTION PROGRAM

For support, maintenance, and miscellaneous purposes:

.....	\$	10,000
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8. CRIMINAL AND JUVENILE JUSTICE PLANNING DIVISION

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	1,587,333
.....	FTEs	11.18

The criminal and juvenile justice planning advisory council and the juvenile justice advisory

council shall coordinate their efforts in carrying out their respective duties relative to juvenile justice.

9. SHARED STAFF

The divisions of the department of human rights shall retain their individual administrators, but shall share staff to the greatest extent possible.

Sec. 12. DEPARTMENT OF INSPECTIONS AND APPEALS. There is appropriated from the general fund of the state to the department of inspections and appeals for the fiscal year beginning July 1, 2008, and ending June 30, 2009, the following amounts, or so much thereof as is necessary, for the purposes designated:

1. ADMINISTRATION DIVISION

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	2,209,075
.....	FTEs	39.25

As a condition of receiving funding appropriated in this subsection, the department shall maintain the targeted small business certification employee position within the division.

2. ADMINISTRATIVE HEARINGS DIVISION

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	708,962
.....	FTEs	24.00

3. INVESTIGATIONS DIVISION

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	1,599,591
.....	FTEs	49.00

4. HEALTH FACILITIES DIVISION

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	2,498,437
.....	FTEs	140.75

5. EMPLOYMENT APPEAL BOARD

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	58,117
.....	FTEs	15.00

The employment appeal board shall be reimbursed by the labor services division of the department of workforce development for all costs associated with hearings conducted under chapter 91C, related to contractor registration. The board may expend, in addition to the amount appropriated under this subsection, additional amounts as are directly billable to the labor services division under this subsection and to retain the additional full-time equivalent positions as needed to conduct hearings required pursuant to chapter 91C.

6. CHILD ADVOCACY BOARD

For foster care review and the court appointed special advocate program, including salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	2,751,058
.....	FTEs	45.12

a. The department of human services, in coordination with the child advocacy board and the department of inspections and appeals, shall submit an application for funding available pursuant to Title IV-E of the federal Social Security Act for claims for child advocacy board administrative review costs.

b. The court appointed special advocate program shall investigate and develop opportunities for expanding fund-raising for the program.

c. Administrative costs charged by the department of inspections and appeals for items funded under this subsection shall not exceed 4 percent of the amount appropriated in this subsection.

d. Notwithstanding any provision of sections 237.18 and 237.20 to the contrary, the child advocacy board may establish up to six pilot projects using alternative policies to guide the selection of cases and the procedures used by local citizen foster care review boards as they review cases of children who received or are receiving foster care or other out-of-home placement services while under the supervision of the department of human services. Policies to guide the pilot project case selection, review time frames and reporting formats shall be approved by the department of human services, state court administrator, and the chief judge of any judicial district in which a pilot project is to be implemented. The child advocacy board shall report to the governor and general assembly by February 1, 2009, on the progress of any new approaches and their impact on efficiencies and case outcomes.

Sec. 13. RACING AND GAMING COMMISSION.

1. RACETRACK REGULATION

There is appropriated from the general fund of the state to the racing and gaming commission of the department of inspections and appeals for the fiscal year beginning July 1, 2008, and ending June 30, 2009, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes for the regulation of pari-mutuel racetracks, and for not more than the following full-time equivalent positions:

.....	\$	2,827,266
.....	FTEs	28.53

2. EXCURSION BOAT AND GAMBLING STRUCTURE REGULATION

There is appropriated from the general fund of the state to the racing and gaming commission of the department of inspections and appeals for the fiscal year beginning July 1, 2008, and ending June 30, 2009, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes for administration and enforcement of the excursion boat gambling and gambling structure laws, and for not more than the following full-time equivalent positions:

.....	\$	3,171,229
.....	FTEs	42.22

Sec. 14. ROAD USE TAX FUND APPROPRIATION — DEPARTMENT OF INSPECTIONS AND APPEALS. There is appropriated from the road use tax fund to the administrative hearings division of the department of inspections and appeals for the fiscal year beginning July 1, 2008, and ending June 30, 2009, the following amount, or so much thereof as is necessary, for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes:

.....	\$	1,623,897
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Sec. 15. DEPARTMENT OF MANAGEMENT. There is appropriated from the general fund of the state to the department of management for the fiscal year beginning July 1, 2008, and ending June 30, 2009, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	3,178,337
.....	FTEs	37.50

Of the moneys appropriated in this section, the department shall use a portion for enterprise resource planning, providing for a salary model administrator, conducting performance audits, and for the department’s LEAN process.

As a condition of receiving funding appropriated in this section, the department of management shall report to the members and staff of the joint appropriations subcommittee on administration and regulation by January 1, 2009, concerning the feasibility and costs of creating and publishing on the internet a publicly available, single state database providing detailed information on state funding that is subject to state budgeting and expenditure.

The department of management budget for the fiscal year beginning July 1, 2009, as proposed by the department and the governor, shall include funding for director and assistant director positions at the Tim Shields center for governing excellence in Iowa under section 8.69.

Sec. 16. ROAD USE TAX APPROPRIATION. There is appropriated from the road use tax fund to the department of management for the fiscal year beginning July 1, 2008, and ending June 30, 2009, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes:
..... \$ 56,000

Sec. 17. DEPARTMENT OF REVENUE. There is appropriated from the general fund of the state to the department of revenue for the fiscal year beginning July 1, 2008, and ending June 30, 2009, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 26,472,699
..... FTEs 399.01

Of the funds appropriated pursuant to this section, \$400,000 shall be used to pay the direct costs of compliance related to the collection and distribution of local sales and services taxes imposed pursuant to chapters 423B and 423E.

The director of revenue shall prepare and issue a state appraisal manual and the revisions to the state appraisal manual as provided in section 421.17, subsection 17, without cost to a city or county.

Sec. 18. MOTOR VEHICLE FUEL TAX APPROPRIATION. There is appropriated from the motor fuel tax fund created by section 452A.77 to the department of revenue for the fiscal year beginning July 1, 2008, and ending June 30, 2009, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes for administration and enforcement of the provisions of chapter 452A and the motor vehicle use tax program:
..... \$ 1,305,775

Sec. 19. SECRETARY OF STATE. There is appropriated from the general fund of the state to the office of the secretary of state for the fiscal year beginning July 1, 2008, and ending June 30, 2009, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. ADMINISTRATION AND ELECTIONS

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 1,499,063
..... FTEs 17.00

The state department or state agency which provides data processing services to support voter registration file maintenance and storage shall provide those services without charge.

2. BUSINESS SERVICES

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 2,012,018
..... FTEs 25.00

* Item veto; see message at end of the Act

Sec. 20. SECRETARY OF STATE FILING FEES REFUND. Notwithstanding the obligation to collect fees pursuant to the provisions of section 490.122, subsection 1, paragraphs “a” and “s”, and section 504.113, subsection 1, paragraphs “a”, “c”, “d”, “j”, “k”, “l”, and “m”, for the fiscal year beginning July 1, 2008, and ending June 30, 2009, the secretary of state may refund these fees to the filer pursuant to rules established by the secretary of state. The decision of the secretary of state not to issue a refund under rules established by the secretary of state is final and not subject to review pursuant to the provisions of the Iowa administrative procedure Act, chapter 17A.

Sec. 21. TREASURER. There is appropriated from the general fund of the state to the office of treasurer of state for the fiscal year beginning July 1, 2008, and ending June 30, 2009, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	1,027,970
.....	FTEs	28.80

The office of treasurer of state shall supply clerical and secretarial support for the executive council.

Sec. 22. ROAD USE TAX APPROPRIATION. There is appropriated from the road use tax fund to the office of treasurer of state for the fiscal year beginning July 1, 2008, and ending June 30, 2009, the following amount, or so much thereof as necessary, to be used for the purposes designated:

For enterprise resource management costs related to the distribution of road use tax funds:

.....	\$	93,148
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Sec. 23. IPERS — GENERAL OFFICE. There is appropriated from the Iowa public employees’ retirement system fund to the Iowa public employees’ retirement system for the fiscal year beginning July 1, 2008, and ending June 30, 2009, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, and other operational purposes to pay the costs of the Iowa public employees’ retirement system, and for not more than the following full-time equivalent positions:

.....	\$	17,313,766
.....	FTEs	95.13

Sec. 24. Section 68A.402, subsection 1, Code Supplement 2007, is amended to read as follows:

1. FILING METHODS. Each committee shall file with the board reports disclosing information required under this section on forms prescribed by rule. Reports shall be filed on or before the required due dates by using any of the following methods: mail bearing a United States postal service postmark, hand-delivery, facsimile transmission, electronic mail attachment, or electronic filing as prescribed by rule. Any report that is required to be filed five days or less prior to an election must be physically received by the board to be considered timely filed. For purposes of this section, “physically received” means the report is either electronically filed using the board’s electronic filing system or is received by the board prior to 4:30 p.m. on the report due date.

Sec. 25. Section 68B.32A, Code Supplement 2007, is amended by adding the following new subsection:

NEW SUBSECTION. 15. At the board’s discretion, develop and operate a searchable internet site database that provides access to information on statements or reports filed with the board. For purposes of this subsection, “searchable internet site database” means an internet site database that allows the public to search and aggregate information and is in a downloadable format.

Sec. 26. 2007 Iowa Acts, chapter 217, section 7, subsection 5, is amended by adding the following new paragraph:

NEW PARAGRAPH. c. Notwithstanding sections 8.33 and 476.10 or any other provision to the contrary, any balance of the appropriation made in this subsection for the utilities division or any other operational appropriation made for the fiscal year beginning July 1, 2007, and ending June 30, 2008, that remains unused, unencumbered, or unobligated at the close of the fiscal year shall not revert but shall remain available to be used for purposes of the energy-efficient building project authorized under section 476.10B, or for relocation costs in succeeding fiscal years.

Sec. 27. 2007 Iowa Acts, chapter 217, section 10, subsection 1, paragraph b, is amended to read as follows:

b. For support of multijurisdictional drug enforcement programs:

..... \$ 1,400,000

If federal funding is received for multijurisdictional drug enforcement programs during the fiscal year beginning July 1, 2007, and ending June 30, 2008, of the moneys appropriated in this lettered paragraph an amount equal to the federal funding received less \$1,560,000 shall revert to the general fund of the state at the end of the fiscal year. The programs shall provide for at least a 25 percent local match.

Notwithstanding section 8.33, moneys appropriated in this lettered paragraph that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purpose designated until the close of the succeeding fiscal year.

Sec. 28. EFFECTIVE DATES.

1. The provision of this division of this Act amending 2007 Iowa Acts, chapter 217, section 7, relating to the expenditure authority of the utilities board for the fiscal year beginning July 1, 2007, and ending June 30, 2008, for purposes of a building project, being deemed of immediate importance, takes effect upon enactment.

2. The provision of this division of this Act amending 2007 Iowa Acts, chapter 217, section 10, relating to appropriations to the governor’s office of drug control policy, being deemed of immediate importance, takes effect upon enactment.

3. The section of this division of this Act amending section 68A.402, being deemed of immediate importance, takes effect upon enactment.

DIVISION II
DEPARTMENT OF ADMINISTRATIVE SERVICES OPERATIONS

Sec. 29. Section 8.6, Code Supplement 2007, is amended by adding the following new subsection:

NEW SUBSECTION. 16. DESIGNATION OF SERVICES — FUNDING — CUSTOMER COUNCILS.

a. Establish a process by which the department, in consultation with the department of administrative services, shall determine which services provided by the department of administrative services shall be funded by an appropriation and which services shall be funded by the governmental entity receiving the service.

b. Establish a process for determining whether the department of administrative services shall be the sole provider of a service for purposes of those services which the department determines under paragraph “a” are to be funded by the governmental entities receiving the service.

c. Establish, by rule, a customer council responsible for overseeing the services provided solely by the department of administrative services. The rules adopted shall provide for all of the following:

(1) The method of appointment of members to the council by the governmental entities required to receive the services.

(2) The duties of the customer council which shall be as follows:

(a) Annual review and approval of the department of administrative services' business plan regarding services provided solely by the department of administrative services.

(b) Annual review and approval of the procedure for resolving complaints concerning services provided by the department of administrative services.

(c) Annual review and approval of the procedure for setting rates for the services provided solely by the department of administrative services.

(3) A process for receiving input from affected governmental entities as well as for a biennial review by the customer council of the determinations made by the department of which services are funded by an appropriation to the department of administrative services and which services are funded by the governmental entities receiving the service, including any recommendations as to whether the department of administrative services shall be the sole provider of a service funded by the governmental entities receiving the service. The department, in consultation with the department of administrative services, may change the determination of a service if it is determined that the change is in the best interests of those governmental entities receiving the service.

d. If a service to be provided may also be provided to the judicial branch and legislative branch, then the rules shall provide that the chief justice of the supreme court may appoint a member to the customer council, and the legislative council may appoint a member from the Senate and a member from the House of Representatives to the customer council, in their discretion.

Sec. 30. NEW SECTION. 8A.111 REPORTS REQUIRED.

The department shall provide all of the following reports:

1. An annual report of the department as required under section 7E.3, subsection 4.
2. Internal service fund service business plans and financial reports as required under section 8A.123, subsection 5, paragraph "a", and an annual internal service fund expenditure report as required under section 8A.123, subsection 5, paragraph "b".
3. An annual report regarding total spending on technology as required under section 8A.204, subsection 3, paragraph "a".
4. An annual report of expenditures from the IowaAccess revolving fund as provided in section 8A.224.
5. A technology audit of the electronic transmission system as required under section 8A.223.
6. An annual report on state purchases of recycled and soybean-based products as required under section 8A.315, subsection 1, paragraph "d".
7. An annual report on the status of capital projects as required under section 8A.321, subsection 11.
8. An annual salary report as required under section 8A.341, subsection 2.
9. An annual average fuel economy standards compliance report as required under section 8A.362, subsection 4, paragraph "c".
10. An annual report of the capitol planning commission as required under section 8A.373.
11. A comprehensive annual financial report as required under section 8A.502, subsection 8.
- 11A. An annual report regarding the Iowa targeted small business procurement Act activities of the department as required under section 15.108, subsection 7, paragraph "c", and quarterly reports regarding the total dollar amount of certified purchases for certified targeted small businesses during the previous quarter as required in section 73.16, subsection 2. The department shall keep any vendor identification information received from the department of inspections and appeals as provided in section 10A.104, subsection 8, and necessary for the quarterly reports, confidential to the same extent as the department of inspection and appeals is required to keep such information. Confidential information received by the department from the department of inspections and appeals shall not be disclosed except pursuant to court order or with the approval of the department of inspections and appeals.
12. An annual report on the condition of affirmative action, diversity, and multicultural programs as provided under section 19B.5, subsection 2.

13. An unpaid warrants report as required under section 25.2, subsection 3, paragraph “b”.
14. A report on educational leave as provided under section 70A.25.
15. A monthly report regarding the revitalize Iowa’s sound economy fund as required under section 315.7.

Sec. 31. Section 8A.202, subsection 2, paragraph e, Code 2007, is amended by striking the paragraph.

Sec. 32. Section 8A.221, subsection 2, paragraph a, subparagraph (2), Code 2007, is amended to read as follows:

(2) Recommend to the director the priority of projects associated with lowAccess. The recommendation may also include a recommendation concerning funding for a project proposed by a political subdivision of the state or an association, the membership of which is comprised solely of political subdivisions of the state. Prior to recommending a project proposed by a political subdivision, the advisory council shall verify that all of the following conditions are met:

- (a) The proposed project provides a benefit to the state.
- (b) The proposed project, once completed, can be shared with and used by other political subdivisions or the state, as appropriate.
- (c) The state retains ownership of any final product or is granted a permanent license to the use of the product.

Sec. 33. Section 8A.402, subsection 2, Code 2007, is amended by adding the following new paragraph:

NEW PARAGRAPH. f. Develop, in consultation with the department of veterans affairs, programs to inform members of the national guard or organized reserves of the armed forces of the United States returning to Iowa following active federal service about job opportunities in state government.

Sec. 34. Section 10A.104, subsection 8, Code 2007, is amended to read as follows:

8. Establish by rule standards and procedures for certifying that targeted small businesses are eligible to participate in the procurement program established in sections 73.15 through 73.21. The procedure for determination of eligibility shall not include self-certification by a business. The director shall maintain a current directory of targeted small businesses that have been certified pursuant to this subsection. The director shall also provide information to the department of administrative services necessary for the identification of targeted small businesses as provided under section 8A.111, subsection 11A.

Sec. 35. Section 305.10, subsection 1, paragraph h, Code 2007, is amended to read as follows:

h. Prepare all mandated reports, newsletters, and publications for electronic distribution in accordance with government information policies, standards, and guidelines. A reference copy of all mandated reports, newsletters, and publications shall be located at an electronic repository for public access ~~to be developed and maintained by the department of administrative services in consultation with the state librarian and the state archivist.~~

Sec. 36. Section 8A.121, Code 2007, is repealed.

DIVISION III
COMMISSION ON NATIVE AMERICAN AFFAIRS

Sec. 37. Section 7E.5, subsection 1, paragraph s, Code 2007, is amended to read as follows:

s. The department of human rights, created in section 216A.1, which has primary responsibility for services relating to Latino persons, women, persons with disabilities, community action agencies, criminal and juvenile justice planning, the status of African-Americans, and deaf and hard-of-hearing persons, and Native-Americans.

Sec. 38. Section 216A.1, Code 2007, is amended by adding the following new subsection: NEW SUBSECTION. 9. Division on Native American affairs.

Sec. 39. NEW SECTION. 216A.161 DEFINITIONS.

For purposes of this subchapter, unless the context otherwise requires:

1. "Administrator" means the administrator of the division on Native American affairs.
2. "Commission" means the commission on Native American affairs.
3. "Division" means the division on Native American affairs of the department of human rights.
4. "Tribal government" means the governing body of a federally recognized Indian tribe.

Sec. 40. NEW SECTION. 216A.162 ESTABLISHMENT — PURPOSE.

1. A commission on Native American affairs is established consisting of eleven voting members appointed by the governor, subject to confirmation by the senate. The members of the commission shall appoint one of the members to serve as chairperson of the commission.

2. The purpose of the commission shall be to work in concert with tribal governments, Native American groups, and Native American persons in this state to advance the interests of tribal governments and Native American persons in the areas of human rights, access to justice, economic equality, and the elimination of discrimination.²

3. The members of the commission shall be as follows:

a. Seven public members appointed in compliance with sections 69.16 and 69.16A who shall be appointed with consideration given to the geographic residence of the member and the population density of Native Americans within the vicinity of the geographic residence of a member. Of the seven public members appointed, at least one shall be a Native American who is an enrolled tribal member living on a tribal settlement or reservation in Iowa and whose tribal government is located in Iowa and one shall be a Native American who is primarily descended from a tribe other than those specified in paragraph "b".³

b. Four members selected by and representing tribal governments.

c. All members of the commission shall be residents of Iowa.

Sec. 41. NEW SECTION. 216A.163 TERM OF OFFICE.

Five of the members appointed to the initial commission shall be designated by the governor to serve two-year terms, and six shall be designated by the governor to serve four-year terms. Succeeding appointments shall be for a term of four years. Vacancies in the membership shall be filled for the remainder of the term of the original appointment.

Sec. 42. NEW SECTION. 216A.164 MEETINGS OF THE COMMISSION.

The commission shall meet at least four times each year, and shall hold special meetings on the call of the chairperson. The commission shall adopt rules pursuant to chapter 17A as it deems necessary for the conduct of its business. The members of the commission shall be reimbursed for actual expenses while engaged in their official duties. A member may also be eligible to receive compensation as provided in section 7E.6.

Sec. 43. NEW SECTION. 216A.165 DUTIES.

The commission shall have all powers necessary to carry out the functions and duties specified in this subchapter and shall do all of the following:

1. Advise the governor and the general assembly on issues confronting tribal governments and Native American persons in this state.
2. Promote legislation beneficial to tribal governments and Native American persons in this state.
3. Recommend to the governor and the general assembly any revisions in the state's affirmative action program and other steps necessary to eliminate discrimination against and the underutilization of Native American persons in the state's workforce.
4. Serve as a conduit to state government for Native American persons in this state.

² See chapter 1191, §52 herein

³ See chapter 1191, §53 herein

5. Serve as an advocate for Native American persons and a referral agency to assist Native American persons in securing access to justice and state agencies and programs.

6. Serve as a liaison with federal, state, and local governmental units, and private organizations on matters relating to Native American persons in this state.

7. Conduct studies, make recommendations, and implement programs designed to solve the problems of Native American persons in this state in the areas of human rights, housing, education, welfare, employment, health care, access to justice, and any other related problems.

8. Publicize the accomplishments of Native American persons and their contributions to this state.

9. Work with other state, tribal, and federal agencies and organizations to develop small business opportunities and promote economic development for Native American persons.⁴

Sec. 44. NEW SECTION. 216A.166 REVIEW OF GRANT APPLICATIONS AND BUDGET REQUESTS.

Before the submission of an application, a state department or agency shall consult with the commission concerning an application for federal funding that will have its primary effect on tribal governments or Native American persons. The commission shall advise the governor, the director of the department of human rights, and the director of revenue concerning any state agency budget request that will have its primary effect on tribal governments or Native American persons.⁵

Sec. 45. NEW SECTION. 216A.167 ADDITIONAL DUTIES AND AUTHORITY — LIMITATIONS.

1. The commission shall have responsibility for the budget of the commission and the division and shall submit the budget to the director of the department of human rights as provided in section 216A.2, subsection 2.

2. The commission may do any of the following:

a. Enter into contracts, within the limit of funds made available, with individuals, organizations, and institutions for services.

b. Accept gifts, grants, devises, or bequests of real or personal property from the federal government or any other source for the use and purposes of the commission.

3. The commission shall not have the authority to do any of the following:

a. Implement or administer the duties of the state of Iowa under the federal Indian Gaming Regulatory Act, shall not have any authority to recommend, negotiate, administer, or enforce any agreement or compact entered into between the state of Iowa and Indian tribes located in the state pursuant to section 10A.104, and shall not have any authority relative to Indian gaming issues.

b. Administer the duties of the state under the federal National Historic Preservation Act, the federal Native American Graves Protection and Repatriation Act, and chapter 263B. The commission shall also not interfere with the advisory role of a separate Indian advisory council or committee established by the state archeologist by rule for the purpose of consultation on matters related to ancient human skeletal remains and associated artifacts.

4. This subchapter shall not diminish or inhibit the right of any tribal government to interact directly with the state or any of its departments or agencies for any purpose which a tribal government desires to conduct its business or affairs as a sovereign governmental entity.

Sec. 46. NEW SECTION. 216A.168 ADMINISTRATOR.

The commission shall designate the duties and obligations of the position of administrator. The administrator shall carry out programs and policies as determined by the commission. The administrator may employ other persons necessary to carry out the programs of the division.

Sec. 47. NEW SECTION. 216A.169 STATE AGENCY ASSISTANCE.

On the request of the commission, state departments and agencies may supply the commis-

⁴ See chapter 1191, §54 herein

⁵ See chapter 1191, §55 herein

sion with advisory staff services on matters relating to the jurisdiction of the commission. The commission shall cooperate and coordinate its activities with other state agencies to the highest possible degree.

Sec. 48. NEW SECTION. 216A.170 ANNUAL REPORT.

Not later than February 1 of each year, the commission shall file a report in an electronic format with the governor and the general assembly of its activities for the previous calendar year. With the report, the commission may submit any recommendations pertaining to its activities and shall submit recommendations for legislative consideration and other action it deems necessary.

Sec. 49. COMMISSION ON NATIVE AMERICAN AFFAIRS — TRANSITION PROVISIONS.

1. The initial members of the commission established pursuant to this Act shall be appointed by September 1, 2008.

2. Notwithstanding any provision of this Act to the contrary, an administrator of the division on Native American affairs and employees of the division shall not be appointed or hired prior to July 1, 2009.

3. Prior to June 1, 2009, the commission shall submit a report to the director of human rights. The report shall include a job description for the administrator of the division, goals for division operations, and performance measures to measure achievement of division goals.

DIVISION IV
DEPARTMENT OF REVENUE ADMINISTRATION

Sec. 50. Section 99B.10B, subsection 2, Code Supplement 2007, is amended to read as follows:

2. a. The department shall revoke a registration issued pursuant to section 99B.10 or 99B.10A, for a period of ten years if a person commits an offense of awarding a cash prize in violation of section 99B.10, subsection 1, paragraph “b”, pursuant to rules adopted by the department. A person whose registration is revoked under this subsection who is a person for which a class “A”, class “B”, class “C”, special class “C”, or class “D” liquor control license has been issued pursuant to chapter 123 shall have the person’s liquor control license suspended for a period of fourteen days in the same manner as provided in section 123.50, subsection 3, paragraph “a”. A person whose registration is revoked under this subsection who is a person for which only a class “B” or class “C” beer permit has been issued pursuant to chapter 123 shall have the person’s class “B” or class “C” beer permit suspended and that person’s sales tax permit suspended for a period of fourteen days in the same manner as provided in section 123.50, subsection 3, paragraph “a”.

b. If a person owning or employed by an establishment having a class “A”, class “B”, class “C”, special class “C”, or class “D” liquor control license issued pursuant to chapter 123 commits an offense of awarding a cash prize in violation of section 99B.10, subsection 1, paragraph “b”, pursuant to rules adopted by the department, the liquor control license of the establishment shall be suspended for a period of fourteen days in the same manner as provided in section 123.50, subsection 3, paragraph “a”. If a person owning or employed by an establishment having a class “B” or class “C” beer permit issued pursuant to chapter 123 awards a cash prize in violation of section 99B.10, subsection 1, paragraph “b”, pursuant to rules adopted by the department, the beer permit of the establishment and the establishment’s sales tax permit shall be suspended for a period of fourteen days in the same manner as provided in section 123.50, subsection 3, paragraph “a”.

Sec. 51. Section 99B.14, subsection 1, Code 2007, is amended to read as follows:

1. The department may deny, suspend, or revoke a license if the department finds that an applicant, licensee, or an agent of the licensee violated or permitted a violation of a provision of this chapter or a departmental rule adopted pursuant to chapter 17A, or for any other cause

for which the director of the department would be or would have been justified in refusing to issue a license, or upon the conviction of a person of a violation of this chapter or a rule adopted under this chapter which occurred on the licensed premises. However, the denial, suspension, or revocation of one type of gambling license does not require, but may result in, the denial, suspension, or revocation of a different type of gambling license held by the same licensee. In addition, a person whose license is revoked under this section who is a person for which a class "A", class "B", class "C", or class "D" liquor control license has been issued pursuant to chapter 123 shall have the person's liquor control license suspended for a period of fourteen days in the same manner as provided in section 123.50, subsection 3, paragraph "a". In addition, a person whose license is revoked under this section who is a person for which only a class "B" or class "C" beer permit has been issued pursuant to chapter 123 shall have the person's class "B" or class "C" beer permit suspended and that person's sales tax permit suspended for a period of fourteen days in the same manner as provided in section 123.50, subsection 3, paragraph "a".

Sec. 52. Section 421.17, Code 2007, is amended by adding the following new subsection:
NEW SUBSECTION. 30. If a natural disaster is declared by the governor in any area of the state, the director may extend for a period of up to one year the due date for the filing of any tax return and may suspend any associated penalty or interest that would accrue during that period of time for any affected taxpayer whose principal residence or business is located in the covered area if the director determines it necessary for the efficient administration of the tax laws of this state.

Sec. 53. Section 421.60, subsection 8, Code 2007, is amended to read as follows:
8. REFUND OF UNTIMELY ASSESSED TAXES. Notwithstanding any other refund statute, if it appears that an amount of tax, penalty, or interest has been paid to the department after the expiration of the statute of limitations for the department to determine and assess or collect the amount of such tax due, then the amount paid shall be credited against another tax liability of the taxpayer which is outstanding, if the statute of limitations for assessment or collection of that other tax has not expired or the amount paid shall be refunded to the person or, with the person's approval, credited to tax to become due. An application for refund or credit under this subsection must be filed within one year of payment. This subsection shall not be construed to prohibit the department from offsetting the refund claim against any tax due, if the statute of limitations for that other tax has not expired. However, any tax, penalty, or interest due for which a notice of assessment was not issued by the department but which was voluntarily paid by a taxpayer after the expiration of the statute of limitations for assessment shall not be refunded.

Sec. 54. Section 422.16, subsection 1, paragraph a, Code Supplement 2007, is amended to read as follows:

a. Every withholding agent and every employer as defined in this chapter and further defined in the Internal Revenue Code, with respect to income tax collected at source, making payment of wages to a nonresident employee working in Iowa, or to a resident employee, shall deduct and withhold from the wages an amount which will approximate the employee's annual tax liability on a calendar year basis, calculated on the basis of tables to be prepared by the department and schedules or percentage rates, based on the wages, to be prescribed by the department. Every employee or other person shall declare to the employer or withholding agent the number of the employee's or other person's personal ~~exemptions and dependency exemptions or credits~~ allowances to be used in applying the tables and schedules or percentage rates. However, no greater number of ~~personal or dependency exemptions or credits~~ allowances may be declared by the employee or other person than the number to which the employee or other person is entitled except as allowed under sections 3402(m)(1) and 3402(m)(3) of the Internal Revenue Code and as allowed for the child and dependent care credit provided in section 422.12C. The claiming of ~~exemptions or credits~~ allowances in excess of entitlement is a serious misdemeanor.

Sec. 55. Section 423.3, subsection 8, paragraph c, unnumbered paragraph 1, Code Supplement 2007, is amended to read as follows:

The replacement part is ~~essential to~~ used in any repair or reconstruction necessary to the farm machinery's or equipment's exempt use in the production of agricultural products.

Sec. 56. Section 423.3, subsection 11, paragraph c, Code Supplement 2007, is amended to read as follows:

c. The replacement part is ~~essential to~~ used in any repair or reconstruction necessary to the farm machinery's or equipment's exempt use in livestock or dairy production, aquaculture production, or the production of flowering, ornamental, or vegetable plants.

Sec. 57. Section 423.36, subsection 2, Code 2007, is amended to read as follows:

2. To collect sales or use tax, the applicant must have a permit for each place of business in the state of Iowa. The department may deny a permit to an applicant who is substantially delinquent in paying a tax due, or the interest or penalty on the tax, administered by the department at the time of application or if the applicant had a previous delinquent liability with the department. If the applicant is a partnership, a permit may be denied if a partner is substantially delinquent in paying any delinquent tax, penalty, or interest or if a partner had a previous delinquent liability with the department. If the applicant is a corporation, a permit may be denied if any officer having a substantial legal or equitable interest in the ownership of the corporation owes any delinquent tax, penalty, or interest or if any officer having a substantial legal or equitable interest in the ownership of the corporation had a previous delinquent liability with the department.

Sec. 58. Section 423A.5, subsection 1, Code 2007, is amended by adding the following new paragraph:

NEW PARAGRAPH. c. The sales price from transactions exempt from state sales tax under section 423.3.

Sec. 59. Section 423A.5, subsection 2, Code 2007, is amended by adding the following new paragraph:

NEW PARAGRAPH. c. The sales price from transactions exempt from state sales tax under section 423.3.

Sec. 60. Section 423D.3, Code 2007, is amended to read as follows:

423D.3 EXEMPTION.

The sales price on the lease or rental of equipment to contractors for direct and primary use in construction is exempt from the tax imposed by this chapter. The sales price from transactions exempt from state sales tax under section 423.3 is also exempt from the tax imposed by this chapter.

Sec. 61. Section 427.1, subsection 7, Code Supplement 2007, is amended to read as follows:

7. LIBRARIES AND ART GALLERIES. All grounds and buildings used for public libraries, public art galleries, and libraries and art galleries owned and kept by private individuals, associations, or corporations, for public use and not for private profit. Claims for exemption for libraries and art galleries owned and kept by private individuals, associations, or corporations for public use and not for private profit must be filed with the local assessor by February 1 of the first year the exemption is requested. Once the exemption is granted, the exemption shall continue to be granted for subsequent assessment years without further filing of claims as long as the property continues to be used as a library or art gallery for public use and not for private profit.

Sec. 62. Section 452A.2, subsection 35, Code 2007, is amended to read as follows:

35. "Supplier" means a person who acquires motor fuel or special fuel by pipeline or marine vessel from a state, territory, or possession of the United States, or from a foreign country for storage at and distribution from a terminal and who is registered under 26 U.S.C. § 4101 for tax-free transactions in gasoline, a person who produces in this state or acquires by truck, rail-

car, or barge for storage at and distribution from a terminal, biofuel, biodiesel, alcohol, or alcohol derivative substances, or a person who produces, manufactures, or refines motor fuel or special fuel in this state. "Supplier" includes a person who does not meet the jurisdictional connection to this state but voluntarily agrees to act as a supplier for purposes of collecting and reporting the motor fuel or special fuel tax. "Supplier" does not include a retail dealer or wholesaler who merely blends alcohol with gasoline or biofuel with diesel before the sale or distribution of the product or a terminal operator who merely handles, in a terminal, motor fuel or special fuel consigned to the terminal operator.

Sec. 63. Section 452A.33, subsection 2, unnumbered paragraph 1, Code 2007, is amended to read as follows:

On or before ~~February~~ April 1 the department shall deliver a report to the governor and the legislative services agency. The report shall compile information reported by retail dealers to the department as provided in this section and shall at least include all of the following:

Sec. 64. Section 452A.59, Code 2007, is amended to read as follows:
452A.59 ADMINISTRATIVE RULES.

The department of revenue and the state department of transportation are authorized and empowered to adopt rules under chapter 17A, relating to the administration and enforcement of this chapter as deemed necessary by the departments. However, when in the opinion of the director it is necessary for the efficient administration of this chapter, the director may regard persons in possession of motor fuel, special fuel, biofuel, alcohol, or alcohol derivative substances as blenders, dealers, eligible purchasers, exporters, importers, restrictive suppliers, suppliers, terminal operators, or nonterminal storage facility operators.

Sec. 65. Section 453A.46, subsection 7, Code Supplement 2007, is amended to read as follows:

7. The director may require by rule that ~~reports~~ returns be filed by electronic transmission.

Sec. 66. Section 422.24A, Code 2007, is repealed.

Sec. 67. RETROACTIVE APPLICABILITY DATE. The section of this division of this Act repealing section 422.24A applies retroactively to January 1, 2008, for tax years beginning on or after that date.

DIVISION V DEPUTY SHERIFF POSITIONS

Sec. 68. Section 341A.7, Code 2007, is amended to read as follows:
341A.7 CLASSIFICATIONS.

1. The classified civil service positions covered by this chapter include persons actually serving as deputy sheriffs who are salaried pursuant to section 331.904, subsection 2, but do not include a chief deputy sheriff, two second deputy sheriffs in counties with a population of more than one hundred thousand, three second deputy sheriffs in counties with a population of more than one hundred fifty thousand, and four second deputy sheriffs in counties with a population of more than two hundred thousand. However, a chief deputy sheriff or second deputy sheriff who becomes a candidate for a partisan elective office for remuneration is subject to section 341A.18. A deputy sheriff serving with permanent rank under this chapter may be designated chief deputy sheriff or second deputy sheriff and retain that rank during the period of service as chief deputy sheriff or second deputy sheriff and shall, upon termination of the duties as chief deputy sheriff or second deputy sheriff, revert to the permanent rank.

2. If the positions of two second deputy sheriffs of a county were exempt from classified civil service coverage under this chapter based on the 1980 decennial census, the two second deputy positions shall remain exempt from classified civil service coverage under this chapter.

Sec. 69. IMPLEMENTATION OF ACT. Section 25B.2, subsection 3, shall not apply to this division of this Act.

DIVISION VI
MISCELLANEOUS PROVISIONS

Sec. 70. Section 8.64, subsection 2, Code Supplement 2007, is amended to read as follows:

2. "Community-wide area" means a distinct geographical area voluntarily formed by and comprised of counties, cities, or townships, or any combination thereof, all of which possess a degree of autonomy in a varying number of matters. State agencies, community colleges, and school districts may also participate in a community-wide area if joined by a county, city, or township.

Sec. 71. Section 331.907, subsection 3, Code 2007, is amended to read as follows:

3. The elected county officers are also entitled to receive their actual and necessary expenses incurred in performance of official duties of their respective offices. The board of supervisors may authorize the reimbursement of expenses related to an educational course, seminar, or school which is attended by a county officer after the county officer is elected, but prior to the county officer taking office.

Sec. 72. NEW SECTION. 504.132 SECRETARY OF STATE — INTERNET SITE.

The secretary of state shall place on the secretary of state's internet site a link to a free internet site with completed internal revenue service forms 990 and 990EZ.

Approved May 12, 2008, with exception noted.

CHESTER J. CULVER, *Governor*

Dear Mr. Secretary:

I hereby transmit Senate File 2400, an Act relating to and making appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters and providing an effective and retroactive applicability date. Senate File 2400 is approved on this date, with the exception noted below, which I hereby disapprove.

I am unable to approve the designated portion of Section 15, unnumbered paragraph 5, in its entirety. This paragraph directs the Department of Management to include in its budget request funding for the salaries of the director and assistant director of the Tim Shields Center for Governing Excellence in Iowa and also requires the Governor to include such funding in his budget recommendation for Fiscal Year 2010. While I strongly support efforts to improve innovation in our state and local governments, this language requires an Executive Branch department to provide funding by a pass-through appropriation for yet-to-be-determined non-Executive Branch positions. Further, the proposed language is premature until the Local Government Innovation Commission determines where the Tim Shields Center for Governing Excellence in Iowa will be located. My understanding is that the Commission will be asking for proposals this fall and making a recommendation on awarding a contract and funding later this calendar year. I look forward to reviewing the work of the Local Government Innovation Commission and will seriously consider any proposals that are made.

For the above reasons, I respectfully disapprove the designated item in accordance with Article III, Section 16 of the Constitution of the State of Iowa. All other items in Senate File 2400 are hereby approved this date.

Sincerely,
CHESTER J. CULVER, *Governor*